## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO. 5:10-HC-2042-FL

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Robert L. Davis, a state inmate, petitioned this court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court dismissed petitioner's action as frivolous on July 2, 2010. On July 15, 2010, this court denied a certificate of appealability in this action. Petitioner now is before the court requesting an "issuance of certificate of probable cause for appeal." The court construes this request as a motion for a certificate of appealability. As stated, the court has denied petitioner a certificate of appealability. Petitioner has not provided any grounds for this court to alter this determination. Thus, petitioner's motion (DE # 9) is DENIED.

SO ORDERED, this the 2 day of November, 2010.

Chief United States District Judge